

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q117947

Hidechika OKADA, et al.

U.S. Patent Appln. No.: 10/520,016

Group Art Unit: 1648

Confirmation No.: 9451

Examiner: Nicole Erin KINSEY WHITE

Filed: October 20, 2005

For: HUMAN IgM ANTIBODY LYSING ACTIVATED LYMPHOCYTES UNDER
MEDIATION BY HOMOLOGOUS COMPLEMENT

STATEMENT OF AVAILABILITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Hidechika OKADA and Noriko OKADA, of 206 Ekureru Sakurayama, Nakayam-cho, Mizuho-ku, Nagoya-shi, Aichi, JAPAN 1-10-1, declare and state that:

We are the Inventors of the entire right, title and interest of the invention described and claimed in the above-identified application, as evidenced by the Declaration submitted on October 20, 2005.

We agree that upon allowance and issuance of the above identified application into a United States Patent, restriction on availability of the following deposit will be irrevocably removed:

Hybridoma 9F11

which is designated in the specification of the above-identified application and was deposited under the terms of the Budapest Treaty on May 8, 2003, as FERM BP-8379 in the International Patent Organism Depositary, National Institute of Advanced Industrial Science and Technology (Chuo-6, Higashi 1-1-1, Tsukuba City, JAPAN).

STATEMENT OF AVAILABILITY
U.S. Patent Appln. No.: 10/520,016

Attorney Docket No.: Q117947

We agree that the above-identified hybridoma, designated in the above identified application, will be maintained for a period of 30 years or 5 years after the last request for the deposit, or for the effective life of any patent which issues on the above identified application, whichever is longer;

We agree that if the deposit becomes non-viable, they will be replaced; and

We also assure access to the deposit to one determined by the Commissioner to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Respectfully submitted,

/Alan C. Townsley/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Alan C. Townsley, Ph.D.
Registration No. 64,740
on behalf of:
Hidechika OKADA and Noriko OKADA

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: July 15, 2010